

REMARKS

Reconsideration of the rejection of this application is respectfully requested in view of the above amendments and the following remarks.

Claims 1 to 5, 9, 10, 13 to 15, 17 and 33 to 35 as amended are present.

The Examiner maintains that the groups "heteroarylalkyloxyarylalkyl" and "heteroaryloxyarylalkyl" in the definition of  $R^3$  should be deleted as drawn to non-elected subject matter.

The definition of  $R^3$  in Claim 1 has been amended to delete "heteroarylalkyloxyarylalkyl" and "heteroaryloxyarylalkyl". Applicants reserve the right to file a divisional application to cover the deleted subject matter.

Claim 5 is rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner contends that

"Claim 5 which depends on claim 1 defines  $(CH_2)_x$  as alkyl chain of 1,2,3 or 4. However, claim 5 defines  $(CH_2)_x$  as "alkylene, alkenylene, allenyl, or alkynylene". It is chemically impossible to define alkyl as a double or triple bond."

Claim 5 has been amended to replace " $(CH_2)_x$ " with  $--X_x--$ .

Claim 1 has been amended to define " $X_x$ " as being a carbon chain of 1, 2, 3 or 4 carbon atoms selected from alkylene, alkenylene, allenyl or alkylene. In addition, the Specification has been amended at page 62 to indicate that " $X_x$ " is used interchangeably with " $(CH_2)_x$ ".

The terms  $(CH_2)_m$  and  $(CH_2)_n$  in Claim 1 have been replaced by  $X_m$  and  $X_n$ , respectively and these terms are defined in Claim 1.

Basis for the above amendments is found in Claims 1 and 5 as filed and in the Specification at page 62, lines 4 to end and continuing on to page 63, line 8.

The Examiner points out that

"Claim 10 recites the limitation  $\begin{array}{c} \text{CH}_3 \quad \text{CH}_3 \\ \diagdown \quad \diagup \\ \text{---C---} \end{array}$  or  $\begin{array}{c} \text{R}_a \\ | \\ \text{---CH---} \end{array}$  in line 1. The Examiner maintains that there is insufficient antecedent basis for this limitation in the claim."

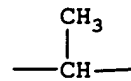
Claim 10 has been amended to replace  $(CH_2)_x$  with  $X_x$ .

Please note page 4, lines 12 and 13 and page 62, starting at line 15 and line 21 where

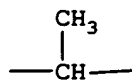
$(CH_2)_x$  (now  $X_x$ ) is defined as including  $\begin{array}{c} \text{CH}_3 \quad \text{CH}_3 \\ \diagdown \quad \diagup \\ \text{---C---} \end{array}$ .

Please note page 4, line 12 where  $(CH_2)_m$  (now  $X_m$ ) is defined as including  $\begin{array}{c} \text{R}_a \\ | \\ \text{---CH---} \end{array}$ .

The Examiner also points out that Claim 15 defines  $(CH_2)_n$  as including



Please note page 62, lines 15 and 19 where  $(CH_2)_n$  (now  $X_n$ ) is defined as including

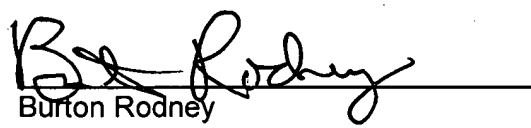


The Examiner suggests that  $R^1$  and  $R^3$  in each of Claims 9 and 14 should be defined. Claims 9 and 14 have been amended to define  $R^1$  and  $R^3$  as defined in Claim 1.

In view of the foregoing, it is believed that all objections have been overcome and that Claims 1 to 5, 9, 10, 13 to 15, 17 and 33 to 35 are in condition for allowance.

Respectfully submitted,

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Date:

May 12, 2004